

**IN UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

---

IN RE: BEXTRA AND CELEBREX  
MARKETING AND SALES PRACTICES  
AND PRODUCT LIABILITY LITIGATION

---

MDL Docket No. 1699

Judge Charles R. Breyer

This document relates to:

**VERNICE HILBURN,**

**STIPULATION AND ORDER  
OF DISMISSAL WITHOUT  
PREJUDICE ONLY AS TO  
CASE NO. 3:06-cv-2443**

**Plaintiff,**

**v.**

**PFIZER, INC. et. al.,**

**Defendants.**

---

**IT IS HEREBY STIPULATED AND AGREED** by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff Vernice Hilburn is hereby dismissed without prejudice.

1. Plaintiff is Vernice Hilburn; defendants are Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle L.L.C.;
2. On April 6, 2006, plaintiff sued defendants;
3. Plaintiff moves to dismiss her claims against defendants;
4. This case is not a class action;
5. A receiver has not been appointed to this action;

6. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.
7. Should Plaintiff or a representative of Plaintiff attempt to re-file her claims against Defendants, they shall do so only by filing said claims in federal court.

Respectfully submitted:

Dated: 6/6/07

By: Navan Ward  
Navan Ward, Jr. (AL State Bar No. WAR062)  
Email: navan.ward@beasleyallen.com  
Jere L. Beasley (AL State Bar No. BEA020)  
Email: jere.beasley@beasleyallen.com  
Gerald B. Taylor, Jr. (AL State Bar No. TAY026)  
Email: jerry.taylor@beasleyallen.com  
Andy D. Birchfield, Jr. (AL State Bar No. BIR006)  
Email: andy.birchfield@beasleyallen.com  
BEASLEY, ALLEN, CROW, METHVIN,  
PORTIS & MILES, P.C.  
Post Office Box 4160  
Montgomery, Alabama 36103-4160  
(334) 269-2343 telephone  
(334) 954-7555 facsimile

*Attorneys for Plaintiff*

Dated: 6-6-07

**GORDON & REES**

Stuart M. Gordon  
Stuart M. Gordon, Esq.  
Embarcadero Center West  
275 Battery Street 20th Floor  
San Francisco, CA 94111  
(415) 986-5900 (Tel.)  
(415) 986-8054 (Fax)

*Defendant's Liaison Counsel*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 06/08/07

Hon. Charles R. Breyer  
United States District Court

